IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR.JUSTICE V.GIRI

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

LA.App..No. 1402 of 2003(A)

LAR.150/2000 of ADDL.SUB COURT, N.PARAVUR

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APPELLANT: RESPONDENT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SRI.NOBLE MATHEW

RESPONDENT: CLAIMANT:

MARIUM, D/O.OUSEPH, CHAKICHERRY,
ANGAMALY VILLAGE, ALUVA TALUK.

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ORDERS ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. KOSHY & V.GIRI JJ.

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L.A.A.No.1402 of 2003-A

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Dated this the 20th day of August, 2007

J U D G M E N T

Koshy, J.

This appeal is filed challenging the award of the Reference Court granting enhancement of compensation with regard to a small extent of 2.50 Ares of land based on the value fixed for the property comprised in LAR.No.140 of 2000, in its earlier decision with regard to the adjacent land acquired for the same purpose. By the time the appeal was filed, the original claimant also died. The application to implead her legal heirs was filed along with petitions to set aside the abatement and also to condone the delay of 2056 days in filing the petition to set aside the abatement. Since the claimant is no more, we are of opinion that there is no meaning in proceeding with the case.

Therefore, the Land Acquisition Appeal is dismissed as abated.

J.B. KOSHY, JUDGE.

V.GIRI, JUDGE.

MS